

SN: 09/631,502

Amendment dated September 10, 2003

Reply to Office action mailed June 10, 2003

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims:**

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Claims 1-6 (canceled)

Claim 7 (currently amended): A surgical device for curetting an intervertebral disc between opposing first and second vertebrae, said surgical device comprising:

- a shaft having a proximal end and a distal end spaced apart along a longitudinal axis of said device;
- a blade extending from said distal end of said shaft, said blade having a leading end and a trailing end,
- said blade having a first concave surface facing a first direction and a first cutting edge and said blade having a second concave surface facing a second direction and a second cutting edge,
- said blade having a height dimension and a width dimension less than said height dimension, said first cutting edge at a first end of said height dimension and said second cutting edge at a second end of said height dimension;
- a ~~diagonal~~ distracting dimension greater than said height dimension.

Claim 8 (previously amended): The surgical device according to claim 7 further comprising a collecting element on said leading end of said blade, said collecting element overlying a portion of said first concave surface and said second concave surface at said leading end of said blade.

Claim 9 (original): The surgical device according to claim 7 wherein when said device is rotated in a first direction around said longitudinal axis said first and second cutting edges are oriented for cutting and when said device is rotated in a

SN: 09/631,502

Amendment dated September 10, 2003

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second direction around said longitudinal axis, opposite to said first direction said first and second cutting edges are not oriented for cutting.

Claim 10 (original): The surgical device according to claim 8 wherein said collecting element has a tapered surface facing away from said leading end of said blade and a collecting surface facing toward said leading end of said blade.

Claim 11 (original): The surgical device according to claim 7 wherein said first cutting edge is facing in a direction opposite said second cutting edge.

Claim 12 (original): The surgical device according to claim 8 wherein a portion of a peripheral surface of said collecting element does not extend axially beyond a said first and second cutting edges.

Claim 13 (original): The surgical device according to claim 7 having a handle for rotating said instrument at said proximal end.

Claim 14 (original): A curette comprising:

- a shaft having a proximal end and a distal end spaced apart along a longitudinal axis of said curette;
- a blade extending from said distal end of said shaft, said blade having a leading end and a trailing end,
- said blade having an undulating configuration such that, a first side of said blade has a first concave region and a first convex region and a second side of said blade has a second concave region and a second convex region;
- said first side having a first cutting edge and said second side having a second cutting edge;

SN: 09/631,502

Amendment dated September 10, 2003

Reply to Office action mailed June 10, 2003

- a collecting element at said leading end of said blade, said collecting element overlying a portion of said first concave surface and said second concave surface.

Claim 15 (original): The curette according to claim 14 wherein said first concave region and said second concave region face in opposite directions.

Claim 16 (original): The curette according to claim 14 wherein said first concave region of said first side is adjacent said second convex region of said second side and said second concave region of said second side is adjacent said first concave region of said first side.

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Claim 17 (original): The curette according to claim 14 wherein when said curette is rotated in a first direction around said longitudinal axis said first and second cutting edges are oriented for cutting around said longitudinal axis and when said curette is rotated in a second direction around said longitudinal axis, opposite to said first direction, said first and second cutting edges are not oriented for cutting around said longitudinal axis.

Claim 18 (original): The curette according to claim 17 wherein said first cutting edge is diametrically opposed to said second cutting edge.

Claim 19 (original): The curette according to claim 18 wherein said collecting element has a tapered surface facing away from said distal end of said shaft and a collecting surface facing toward said distal end of said shaft.

Claim 20 (original): The curette according to claim 14 wherein a portion of a peripheral surface of said collecting element does not extend beyond said first and second cutting edges.

SN: 09/631,502

Amendment dated September 10, 2003

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Claim 21 (original): The curette according to claim 14 having a handle for rotating said curette at said proximal end of said shaft.

Claim 22 (previously presented): A surgical device for curetting an intervertebral disc between opposing first and second vertebrae, said surgical device comprising:

- a shaft having a proximal end and a distal end;
- a blade positioned at the distal end of the shaft;
- said blade having first and second cutting edges and first and second distraction surfaces adjacent said first and second cutting edges; and
- said blade having a cutting height dimension extending between the first and second cutting edges and a distraction height dimension extending between the first and second distraction surfaces, wherein said distraction height dimension is greater than said cutting height dimension.

Claim 23 (previously presented): The surgical device according to claim 22 wherein the first and second distraction surfaces are rounded.

Claim 24 (new): A surgical device for curetting an intervertebral disc between opposing first and second vertebrae, said surgical device comprising:

- a shaft having a proximal end and a distal end;
- a blade positioned at the distal end of the shaft;
- said blade having first and second cutting edges separated by a first distance and first and second distraction surfaces separated by a second distance, said distraction surfaces adjacent said first and second cutting edges; and
- said second distance being larger than said first distance.